

### **REMARKS/ARGUMENTS**

Claims 1-18 have been canceled and new claims 19-32 are pending herein. All of the new claims 19-32 read on the elected species.

An Information Disclosure Statement (IDS) was submitted on August 13, 2003 and received by the USPTO on August 18, 2003, after the mailing of the Office Action. Consideration of the IDS is respectfully requested in the next communication from the USPTO.

#### **Claim Objections/Claim Rejections-35 U.S.C. §112**

Claims 15-18 have been canceled and replaced by new claims 19-32, of which claim 19 is an independent claims. Claims 19-32 have been drafted in better compliance with 35 U.S.C. §112 and in consideration of the informalities noted by the Examiner.

In view of cancellation of claims 15-18 and the presentation of substitute claims, it is respectfully submitted that the Examiner's objection to claim 16 and the rejection of claims 15-18 under 35 U.S.C. §112, second paragraph, have been overcome and should be removed.

#### **Claim Rejections-35 U.S.C. §102**

Claims 15-18 were rejected under 35 U.S.C. §102(b) as being anticipated by Chandler (U.S. Patent No. 3,823,870).

The Examiner's rejection is respectfully traversed in view of the content of new independent claim 19. Claim 19 recites the features of a housing defining side chambers in which supply air and circulated air from a room space is mixed, air guiding parts each of which partly defines a flow path in a respective side chamber leading from the side chamber to an exterior of the housing and through

which the mixed supply air and circulated air passes, and nozzles arranged in connection with the supply air chamber to direct supply air from the supply air chamber into the side chambers and induce a flow of circulated air from the room space through the heat exchanger into the side chambers. The nozzles 12a create a directed flow of supply air  $L_1$  which serves to draw a circulated air flow  $L_2$  through the heat exchanger 14 which then mixes with the supply air  $L_2$  (see Fig. 2A).

An important feature of the invention is that a control device 15 is arranged in each side chamber  $B_1$  for controlling an induction ratio between the flow of supply air  $L_1$  through the nozzles 12 and the flow of circulated air  $L_2$  through the heat exchanger 14 induced by the nozzles 12. Each control device 15 including a turning damper 17 arranged in the side chamber  $B_1$  after the heat exchanger 14 in a direction of flow of the circulated air  $L_2$ . The damper 17 regulates “opening and closing of the flow path through which the mixed supply air and circulated air passes from said side chamber to exterior of said housing” and thus is “effective to regulate a flow of mixed supply air and circulated air from said housing”.

Thus, in the claimed embodiment of the invention, the damper 17 is arranged in a flow path through which a mixed flow of supply air and circulated air passes. The supply air and the circulated air have already been mixed in the side chamber before passing through the flow path leading to an exterior of the housing. The damper 17 is operative to regulate the size of the flow path and thereby regulate the mixed air flow  $L_1 + L_2$  from the device 10.

The prior art cited by the Examiner does not disclose a regulated damper which is arranged in a flow path of a mixed flow of supply air and circulated air and which is thus able to regulate the mixed air flow.

Chandler describes an air conditioning unit including an inlet opening 92 of a passage 90 for

a flow of secondary air and an orifice 94 formed in a wall defining the passage 90. A pivoted damper 96 selectively covers the orifice 94. A strip heater 99 is arranged in connection with orifice 94. Secondary air flows through the inlet opening 92 and/or through the orifice 94.

In contrast to the embodiment of the invention set forth in claim 19, Chandler does not disclose a supply air terminal device including a control device arranged in side chambers for controlling an induction ratio between the flow of supply air through nozzles and the flow of circulated air through a heat exchanger induced by the nozzles. Chandler also does not disclose that each control device includes a damper which regulates opening and closing of a flow path through which a mixed supply air and circulated air passes from a side chamber to exterior of the housing and which is effective to regulate a flow of mixed supply air and circulated air from the housing.

The damper 96 is Chandler regulates the amount of air through the strip heater 99 relative to the amount of air through the inlet opening 92. It does not regulate the amount of a mixed flow of supply air and circulated air from a side chamber to exterior of a housing.

In view of the content of new claim 19 and the arguments presented above, it is respectfully submitted that the Examiner's rejection of previous claims 15-18 as being anticipated by Chandler has been overcome and should be removed.


In view of the foregoing, it is respectfully submitted that the Examiner's objections and rejections have been overcome and should be removed and the present application should now be in condition for allowance.

Should any changes to the claims and/or specification be deemed necessary to place the application in condition for allowance, the Examiner is respectfully requested to contact the undersigned to discuss the same.

An early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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